

**REMARKS**

We recently received an advisory Action mailed on August 22, 2007. However, an Interview Summary (copy enclosed) issued by SPE Sirmons and Examiner MacNeil withdrew the finality of the Office Action mailed on February 9, 2007.

On August 9, 2007, Applicant filed a Response to the (non-final) Office Action mailed February 9, 2007.

In view of the above, Applicant submits that an Advisory Action should not have been issued. Rather, a further non-final Office Action or a Notice of Allowance should have been issued. In addition, Applicant submits that the Rule 1.131 Declaration enclosed with the August 9<sup>th</sup> Response must be considered and entered.

Applicant respectfully requests a response to this submission indicating that a non-final Office Action will be issued.

In view of the Rule 1.131 submission removing the Triplett reference, Applicant believes that any remaining issues presenting an obstacle to allowance of the case can be readily addressed by a telephone call from the Examiner and Applicant specifically requests such a call.

Applicant does not acquiesce to any assertion made by the Examiner that is not specifically addressed herein.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

Dated: August 28, 2007

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